

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

In re:

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Chapter 11

Blitman Saratoga LLC,

Case No. 20-23177 (SHL)

Debtor.

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**DECLARATION IN SUPPORT OF REQUEST TO CONSIDER
THE DEBTOR'S MOTION TO APPROVE SETTLEMENT ON SHORTENED NOTICE**

Kevin J. Nash, Esq. declares the following under penalty of perjury pursuant to 11 U.S.C. §1746:

1. I am a member of the law firm of Goldberg Weprin Finkel Goldstein LLP, counsel for Blitman Saratoga LLC (the "Debtor"), and as such I am fully familiar with the facts and circumstances of this case.

2. Pursuant to Local Rule 9077-1, I make this Declaration in support of the Debtor's motion to obtain a hearing on shortened notice to consider the Debtor's accompanying motion pursuant to Bankruptcy Rule 9019(a) (the "Settlement Motion") for approval of a settlement reached with the Dorsey Family relating to termination of their pre-petition contract to buy 8 Katie Lane.

3. The Dorseys have moved to terminate their contract and obtain damages (ECF No. 134). This led to negotiations between the parties and the ensuing proposed settlement which is being noticed for Bankruptcy Court approval pursuant to Rule 9019(a). The Dorsey's motion has been adjourned to January 26, 2023 and the Debtor is seeking a hearing on shortened notice to consider the 9019(a) motion on the same day.

4. While Bankruptcy Rule 2002(a)(3) requires 21 (twenty-one) days' notice of a settlement, this time may be shortened pursuant to Bankruptcy Rule 9006(c) upon a showing of

cause. The Debtor submits that cause exists to shorten the notice period as the settlement is not expected to draw any opposition and if approved will resolve potential litigation, while providing the Debtor with potential upside regarding a future resale of the home.

5. The Debtor is not looking to limit notice, only for an expedited hearing. Accordingly, the Debtor is prepared to effectuate service of the 9019(a) settlement motion to (i) the United States Trustee; (ii) all persons who filed requests for the notice with the Clerk of the Court; (iii) all the Debtor's filed and scheduled creditors.

Dated: New York, New York
January 9, 2023

/s/ Kevin J. Nash, Esq.